

Message Text

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PAGE 01 STATE 182268
ORIGIN EB-08

INFO OCT-01 EUR-12 ISO-00 L-03 COME-00 CIAE-00 INR-10
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DRAFTED BY EB/IFD/BP:SBRATTAIN:VJW
APPROVED BY EB/IFD/BP:APADAMS
L/EB - G LEHNER
EUR/EE - S FROMOWITZ
COM/PTO - C AOUSSAT
COMMERCE - J LIGHTMAN
-----095006 191743Z /46
R 191525Z JUL 78
FM SECSTATE WASHDC
TO AMEMBASSY BELGRADE

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E.O. 11652: GDS

TAGS: BTRA, EIND, YO

SUBJECT: DRUG TRADEMARK PROBLEM

REF: A) BELGRADE 457, B) BELGRADE 908, C) STATE 047833,
D) STATE A-1560

1. DEPARTMENT HAS AGAIN RECEIVED A WRITTEN COMPLAINT FROM
PHARMACEUTICAL MANUFACTURERS ASSOCIATION (PMA) (COPY BY
POUCH TO EMBASSY) ABOUT YUGOSLAVIA'S DRUG LAW, SPECIFI-
CALLY ARTICLE 27 OF PART 5 WHICH REQUIRES TRANSFER OF
OWNERSHIP OF TRADEMARKS TO YUGOSLAV FIRMS BEFORE LOCAL
MARKETING IS ALLOWED. DRUG INDUSTRY FEELS THAT THIS
REQUIREMENT AMOUNTS TO CONFISCATION OF THEIR PROPERTY
RIGHTS AND COULD BE DAMAGING TO THEIR REPUTATION SHOULD
QUALITY STANDARDS NOT BE MAINTAINED BY LOCAL FIRMS.
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2. NORMAN ST. LANDAU OF LEGAL DEPARTMENT OF JOHNSON AND
JOHNSON, AND ACTIVE IN THE PMA, CLAIMS THAT BOTH GERMAN
AND SWISS GOVERNMENTS HAVE RECENTLY APPROACHED YUGOSLAV
AUTHORITIES ON THIS MATTER, AND BELIEVES THAT NOW IS A
PARTICULARLY APPROPRIATE TIME TO RESTATE OUR OWN OBJECTIONS
TO THIS POLICY.

3. DEPARTMENT IS AWARE OF EMBASSY'S PAST EFFORTS IN THIS

AREA AND IS THEREFORE REQUESTING ITS JUDGMENT AS TO THE
EXTENT TO WHICH OTHER DEVELOPED COUNTRIES WHO SHARE OUR
CONCERN ABOUT THIS MATTER HAVE BEEN ACTIVE IN SEEKING
A CHANGE IN POLICY AND ITS ASSESSMENT AS TO THE UTILITY
OF ADDITIONAL PROTESTATIONS. IF CONDITIONS WARRANT,
EMBASSY AT ITS DISCRETION MAY REITERATE OUR STRONG
OBJECTION TO ARTICLE 27 TO APPROPRIATE OFFICIALS OF
THE YUGOSLAV GOVERNMENT. CHRISTOPHER

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Message Attributes

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Concepts: DRUGS, TRADEMARKS
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Decaption Note:
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Disposition Approved on Date:
Disposition Case Number: n/a
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